

MAX HARRIS, SBN 315308
Homeless Action Center
2150 Dwight Way
Berkeley, CA 94704
Phone: (510) 540-0878 x. 305
Fax: (510) 540-0403
mharris@homelessactioncenter.org

Attorney for Plaintiff

Social Security Commissioner
RYAN LU
Office of Program Litigation, Office 7
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
206-615-2034
Ryan.Lu@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MARK KORFF,)	
)	CIVIL NO. 4:24-cv-07054-HSG
Plaintiff,)	
)	STIPULATION TO PLAINTIFF'S AWARD
v.)	OF ATTORNEY'S FEES AND COSTS
)	AND ORDER
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney fees under the Equal Access to Justice Act (EAJA) in the amount of NINE THOUSAND FOUR HUNDRED DOLLARS (\$9,400.00).

1 This amount represents compensation for all legal services rendered on behalf of
 2 Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920,
 3 2412(d).

4 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
 5 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
 6 EAJA. Payment of nine thousand four hundred dollars (\$9,400.00) in EAJA attorney fees shall
 7 constitute a complete release from and bar to any and all claims Plaintiff may have relating to
 8 EAJA fees, expenses, and/or costs in connection with this action.

9 After this Court issues an order for EAJA fees to Plaintiff, the Commissioner will
 10 consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. The ability
 11 to honor the assignment will depend on whether the fees are subject to any offset allowed
 12 under the United States Department of the Treasury's Offset Program and the Commissioner
 13 will determine whether the fees are subject to an offset. *See Astrue v. Ratliff*, 560 U.S. 586,
 14 598 (2010). Any payment shall be made payable to Plaintiff, but if the Department of the
 15 Treasury determines that Plaintiff does not owe a Federal debt, then the Commissioner shall
 16 cause the payment of fees and costs to be made directly to Plaintiff's counsel, Homeless Action
 17 Center, pursuant to the assignment executed by Mr. Korff (attached).

18 This award is without prejudice to the rights of Plaintiff's counsel to seek Social
 19 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
 20 the EAJA.

21
 22 Dated: July 16, 2025.



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 24 MAX HARRIS
 25 Attorney for Plaintiff MARK KORFF

26
 27
 28 Date: July 16, 2025

PATRICK D. ROBBINS

United States Attorney

By: /s/ Ryan Lu

Ryan Lu


Special Assistant United States Attorney

* by email authorization 07/16/2025

Attorneys for Defendant

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees And Costs, IT IS ORDERED that Plaintiff shall be awarded attorney fees under the EAJA in the amount of nine thousand four hundred dollars (\$9,400.00), as authorized by 28 U.S.C. §§ 1920, 2412(d), subject to the terms of the above-referenced Stipulation.

Dated: 7/17/2025


THE HONORABLE Haywood S. Gilliam, Jr.
United States District Court Judge



West Oakland Office
2601 San Pablo Ave
Oakland CA 94612
510-695-2260 tel
510-858-7867 fax

Berkeley Office
3126 Shattuck Ave
Berkeley CA 94705
510-540-0878 tel
510-540-0403 fax

Oakland Office
1432 Franklin St
Oakland CA 94612
510-836-3260 tel
510-836-7690 fax

FEE AGREEMENT AND ASSIGNMENT OF FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT

I, Mark Korff, xxx-xx-4296, hereby retain the Homeless Action Center to represent me in federal court review of my SSI/Social Security claim for benefits under the Social Security Act. I understand that this fee agreement and assignment applies only to work on my behalf in United States District Court. I understand more than one attorney at the Homeless Action Center may work on my case.

I understand that the Equal Access to Justice Act (5 U.S.C 504) provides for an award of reasonable attorney fees and expenses to eligible prevailing parties. If federal court review of my case results in a favorable decision to me, either by having my case remanded or by obtaining benefits outright by court order, I understand that my attorney, on behalf of the Homeless Action Center, may apply for statutory fees and expenses under the Equal Access to Justice Act ("EAJA," 5 U.S.C. 504).

I hereby assign any EAJA attorney fees and expenses to the Homeless Action Center, whether or not I ever receive benefits under the Social Security Act. I agree any EAJA fees and expenses may be paid directly to the Homeless Action Center, and I authorize the Homeless Action Center to endorse my name on any check paying EAJA fees and expenses.

This agreement and assignment only pertains to EAJA fees and expenses for work on my behalf in federal court, and is in addition to the agreement previously signed for representation before the Social Security Administration. This agreement and assignment does not affect the Homeless Action Center's waiver of any non-EAJA fee under sections 206 and 1631(d)(2) of the Social Security Act.

Client

Date

Attorney

Date

10/14/2024